UNITED STATES DISTRICT COURT WESTERN DISTRICT OF NORTH CAROLINA ASHEVILLE DIVISION 1:24-cv-149-MOC-WCM

KRISTINA RENE FROST,)
Individually and as Personal)
Representative of the Estate of)
Shawna Rene Frost and Tristan Allen)
Mays,)
Plaintiff,)
vs.	ORDER
HILLIARD LAW, et al.,))
Defendant.)))

THIS MATTER comes before the Court on a Motion to Dismiss Plaintiff's Amended Complaint, filed by Defendants Leslie Marie Bearden, Attilio Vincenzo Colella, Rudy F. Gonzales, Jr, Robert Carl Hilliard, Hilliard Law, Hilliard Martinez Gonzales, LLP, John Brandon Martinez, Matthew Lyle McMullen, Moss & Colella, PC, Marion Magdalene Reilly, and Ana Luisa Zabalgoitia. (Doc. No. 36).

Plaintiff filed an Amended Complaint on September 3, 2024. (Doc. No. 38). Because Plaintiff has filed an Amended Complaint, the pending motion to dismiss the Original Complaint is moot. See Young v. City of Mount Ranier, 238 F.3d 567, 573 (4th Cir. 2001) ("The general rule ... is that an amended pleading supersedes the original pleading, rendering the original pleading of no effect."); Turner v. Kight, 192 F. Supp. 2d 391, 397 (D. Md. 2002) (denying as moot motions to dismiss original complaint on grounds that amended complaint superseded original complaint).

IT IS THEREFORE ORDERED that:

(1) Defendants' Motion to Dismiss, (Doc. No. 36), is **DENIED** as moot.

Signed: September 23, 2024

Max O. Cogburn Jr United States District Judge